

REMARKS

Claims 27-29 are pending in the application and have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Humphrey et al. (U.S. Patent No. 5,992,000) in view of Herklotz et al. (U.S. Patent No. 6,264,688). Applicants respectfully traverse the rejection.

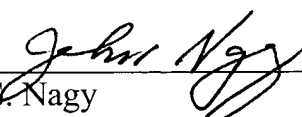
Herklotz et al. fails to teach or disclose the stent structure recited in claim 27 of the present application. More specifically, the single drawing figure of Herklotz et al. shows an undulating link (11) attaching each cylindrical ring to an adjacent cylindrical ring. The undulating links have a curved portion that, contrary to the Examiner's position, is not transverse to the stent longitudinal axis and extending toward the second peak. As can be clearly seen in Fig. 1 of Herklotz et al., the undulating links 11 have curved portions that extend at an angle to the longitudinal axis. While Applicants believe it would be improper to measure the angle set forth in the drawing figure since the drawing is not to scale, it appears that the angle is more than 30°, and perhaps as much as 45° relative to the longitudinal axis of the stent. Claim 27 recites in pertinent part "the undulating links having a curved portion extending transverse to the stent longitudinal axis toward the second peak" which is believed to be patentably distinguishable over the Herklotz et al. disclosure. The curved portion of the link of the present invention is transverse to the longitudinal axis for a specific reason, that is to allow the curved portion to crimp more tightly relative to the second peak, which is shorter than the first peak. As disclosed in the specification at page 13, line 20 through page 14, line 8, and on page 14, lines 19-23, and Fig. 6C, the length of second struts 68 on the second peaks 61 are shorter than the first strut 66 of the first peak 60 so that curved portion 56 of link 54 can crimp tighter and be positioned proximal to the second peak 61 without overlapping. Further, the curved portion of the link is transverse to the longitudinal axis in claim 27 to provide increased flexibility, as set forth at page 12, lines 18-30 in the specification.

In view of the foregoing, it is respectfully requested that the rejection under 35 U.S.C. § 103(a) be withdrawn and that claims 27-29 be considered allowable over the prior art of record.

The undersigned can be reached at (310) 824-5555 to facilitate prosecution of the application. Reconsideration of the application is requested.

Respectfully submitted,

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